



PATENT  
Atty Docket No. 335699-14  
(prev. 29290.01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: )  
 ) **Group Art Unit: 1654**  
**DAVID S. HON et al.** )  
 ) **Examiner: Leith, Patricia A.**  
**Serial No.: 10/645,412** )  
 )  
**Filed: August 21, 2003** )  
 )  
**For: COMPOSITIONS OF OAK BARK** )  
**EXTRACT RELATED SYNTHETIC** )  
**COMPOSITIONS AND METHODS OF** )  
**USING SAME** )

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

I, R. Dan Winnett, am authorized to sign this Terminal Disclaimer on behalf of Greystone Medical Group, Inc. To the best of my knowledge and belief Greystone Medical Group owns the entire interest in the above-identified application and invention by virtue of assignments in U.S. Patent Application Serial No. 07/973,071 from the inventors David Hon and R. Thomas Stanley to R. Thomas Stanley and recorded at Reel 006387, Frame 0633, and from R. Thomas Stanley to H.E. Stanley Pharmaceuticals and recorded at Reel 006811, Frame 0947, in U.S. Patent Application Serial No. 08/334,795, a continuation of U.S. Patent Application Serial No. 07/973,071 and issued as U.S. Patent No. 5,080,900 from H.E. Stanley Pharmaceuticals to R. Max Greenwalt and recorded at Reel 007803, Frame 0849, and in U.S. Patent No. 5,080,900 and U.S. Patent No. 6,149,947, which is a

continuation of U.S. Patent No. 5,080,900, from R. Max Greenwalt to Greystone Medical Group and recorded at Reel 008920, Frame 0513.

Greystone Medical Group hereby disclaims the terminal part of any patent granted on this current application that would extend beyond the statutory expiration date of any patent granted on pending and commonly-owned U.S. Application Serial No. 09/716,890. Moreover, Greystone Medical Group hereby agrees that any patent so granted on this current application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on pending and commonly-owned U.S. Application Serial No. 09/716,890, this agreement to run with any patent granted on this current application and to be binding upon Greystone Medical Group, its successors, or assigns.

Greystone Medical Group does not disclaim any terminal part of any patent granted on this current application prior to the expiration date of the full statutory term of any patent granted on pending and commonly-owned U.S. Application Serial No. 09/716,890, in the event that either patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.312(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further, that these statements ~~are made with the knowledge that willful false statements, and the like so made, are punishable by~~ fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Dated: 11/9/05

By:

  
R. Dan Winnett

In-House Counsel and Executive Vice President

NB1:668464.1